IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

WP(C).No. 29069 of 2006(I)

PETITIONER:

1. SECRETARY, COCHIN INTERNATIONAL AIR PORT CARGO AND GENERAL WORKERS UNION, VAPPALASSERY P.O. NEDUMBASSERY.

2. SECRETARY, COCHIN INTERNATIONAL AIR PORT CARGO AND GENERAL WORKERS UNION (I.N.T.U.C.), VAPPALASSERY P.O., NEDUMBASSERY.

3. GENERAL SECRETARY, COCHIN INTERNATIONAL AIR PORT MASDOOR SANGH, BMS, ALUVA.

4. GENERAL SECRETARY, COCHIN INTERNATIONAL AIR PORT CARGO AND GENERAL WORKERS ASSOCIATION, (CITU), NEDUMBASSERY.

5. GENERAL SECRETARY, HEAD LOAD GENERAL WORKERS UNION (INTUC), NEDUMBASSERY.

BY ADV. SRI.PAULSON C.VARGHESE

RESPONDENTS:

1. DEPUTY GENERAL MANAGER COCHIN INTERNATIONAL AIRPORT LTD., NEDUMBASSERY.

2. GENERAL SECRETARY, COCHIN AIR PORT PORTRAGE WORKERS UNION, INTUC, VATHURUTHY, MALSYAPURI P.O., KOCHI-29.

3. GENERAL SECRETARY, COCHIN PORT LABOUR UNION, (CITU), COCHIN-9, WILLINGDON ISLAND.

4. APPELLATE AUTHORITY UNDER HEAD LOAD WORKERS' ACT (REGIONAL JOINT LABOUR COMMISSIONER) LABOUR OFFICE, CIVIL STATION, KAKKANAD, COCHIN-30.

BY ADV. SRI.P.RAMAKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C).No. 29069/06.

APPENDIX

PETITIONER'S EXHIBITS:

P1. COPY OF THE ORDER DTD.31.8.06 PASSED BY THE DY. LABOUR OFFICER.

P2. COPY OF THE APPEAL DTD.12.10.06 BEFORE R4.

P2A. COPY OF THE PETITION DTD.12.10.06 BEFORE R4.

P3. COPY OF THE DOCKET OF APPEAL MEMORANDUM.

P3A. COPY OF THE DOCKET OF STAY PETITION

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///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

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W.P.(C).No.29069 of 2006

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Dated this the 3rd day of August, 2007

J U D G M E N T

The petitioners are unions of headload workers working under the 1st respondent. Against Ext.P1 order of the Deputy Labour Officer, regarding allocation of work to various unions, the petitioners filed Ext.P2 appeal. Since the officer manning the appellate authority retired from service and no fresh officer had been appointed, petitioners could not move a stay petition in the appeal. In the meanwhile the respondents took steps to implement Ext.P1 order. It is under the above circumstances that the petitioners have approached this court with this writ petition seeking stay of further proceedings pursuant to Ext.P1, till the appellate authority passes orders on Exts.P2(a) stay petition. Now it is submitted that a new officer has taken charge as appellate authority. In the above circumstances, this writ petition is disposed of directing the 4th respondent-appellate authority to

consider Ext.P2 appeal and pass appropriate orders thereon, as expeditiously as possible, at any rate, within six weeks from the date of receipt of a copy of this judgment. Till orders are passed as above, interim order passed in this writ petition shall continue to be in force.

Sd/-
sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.